IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

WP(C).No. 8305 of 2007(L)

PETITIONER:

SREEKUMAR M.K.,
S/O.MANGAVIL NARYAN NAIR,
RESIDING AT SAI SREE, THENHIPALAM P.O.,
MALAPPURAM DISTRICT.

BY ADV. SRI.HARISH R. MENON
SRI.K.T.SHYAMKUMAR

RESPONDENTS:

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1. DISTRICT COLLECTOR, MALAPPURAM DISTRICT
MALAPPURAM.

2. THE SECRETARY,
THENHIPALAM GRAMA PANCHAYATH,
THENHIPALAM, MALAPPURAM DISTRICT.

R1 BY ADV. SMT. T.B. RAMANI, GOVT. PLEADER.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 8305 OF 2007

Dated this the 13th day of March, 2007

JUDGMENT

I do not propose to go into the genuineness of the grievance voiced by the petitioner. The petitioner's grievance is that on account of the stay orders passed by this Court in several other cases, he who was the successful bidder for collecting river sand, could extract any river sand at all during 2000-01. It is submitted that now, Ext.P8 demand notice for recovery has been issued to him. Exts.P9 and P10 representations have been submitted by the petitioner before the Secretary of the Panchayat. The Secretary of the Panchayat will take up Exts.P9 and P10 representations, hear the petitioner on the grounds raised in the Writ Petition and documents placed on record and take a correct decision. The decision shall be taken by the Panchayat Secretary within two months of receiving copy of this judgment. In the meanwhile, the revenue recovery proceedings pursuant to Ext.P8 will be kept in abeyance on condition that the petitioner remits a sum of Rs.30,000/- towards the demand within one month from today.

PIUS C. KURIAKOSE, JUDGE

btt